

NOTICE OF INTENT

Department of Public Safety and Corrections Board of Private Investigator Examiners

Apprentice Licensing (LAC 46:LVII.512)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and under the authority of R.S. 37:3505(B)(1), the Louisiana Department of Public Safety and Corrections, Louisiana State Board of Private Investigators Examiners, hereby gives notice of its intent to amend Part LVII of Title 46, by adding Chapter 5, §512 pertaining to licensing of apprentice private investigators.

This rule and regulation is an amendment to the initial rules and regulations promulgated by the Louisiana State Board of Private Investigator Examiners.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LVII. Board of Private Investigator Examiners

Chapter 5. Application, Licensing, Training, Registration and Fees

§512. Licensing of Apprentices

A. A licensed agency and a previously unlicensed individual may apply for the licensing of the previously unlicensed individual as an apprentice as follows:

1. A letter of intent to sponsor shall be sent to the board by the licensed agency, along with the apprentice application, indicating the agency's intent to accept the sponsorship and responsibility for the apprentice applicant.

2. Upon receipt of a letter of intent to sponsor and the completed application from the apprentice candidate, the chairman of the board shall issue a letter acknowledging the receipt of same, provided the apprentice license applicant satisfies the requirements of R.S. 37:3507 and all fees required by law have been paid. The letter shall serve as a temporary apprentice registration card until the board meets to consider the application and the issuance of the official apprentice registration card.

3. No agency may sponsor any more than six apprentice investigators at any one time; and no person shall be licensed as an apprentice if he has ever been licensed as an apprentice before.

B. An apprentice license shall be effective for one year only; and the apprentice shall operate as a private investigator only under the immediate direction, control and supervision of the sponsoring agency during that time. For the first three months of apprenticeship, the apprentice must be accompanied on all investigative work regulated by R.S. 37:3500 et seq., by a licensee with three years experience.

C.1. The sponsoring agency shall be directly responsible for the supervising and training of the apprentice, and shall maintain, on a form furnished by the board, a separate personnel file containing: the types of cases worked; the date the cases were worked; the number of hours worked on each case; and the name of the supervisor accompanying licensee. These forms shall be subject to inspection by the board on demand.

2. In addition, the sponsoring agency shall be responsible for educating the apprentice in the following areas:

- a. knowledge of the private investigator business and the laws regulating same, including R.S. 37:3500 et seq., and the rules and regulations regulating the practice as a private investigator in this state;
- b. general federal and state constitutional principles;
- c. general information regarding invasion of privacy laws, search and seizure laws and related procedures, and state concealed weapons law;
- d. surveillance techniques;
- e. photograph principles: video and still; and
- f. general information regarding the assembling of public information from clerk of court offices and court records.

D.1. The apprentice license shall remain valid for only one year from the date of the letter serving as the temporary registration card or issuance of the official apprentice registration card, whichever is first; and only so long as the apprentice is working under the supervision of a licensed sponsor agency.

2. During the apprenticeship period, the apprentice must attend the 40-hour training course approved by the board.

3. An apprentice license may be transferred to another agency provided the other agency meets all the requirements of law and this Section of the rules and regulations, particularly the filing of the letters of intent, regarding sponsorship.

AUTHORITY NOTE: Promulgated in accordance with La. R.S. 37:3505A(3) and B(1); and La. R.S. 37:3514A.(4)(a).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Louisiana State Board of Private Investigator Examiners, LR 22:

Comments should be forwarded to Gary Hyatt, Chairman of the Board, State Board of Private Investigator Examiners, 2051 Silverside Drive, Suite 190, Baton Rouge, LA 70808. Written comments will be accepted through the close of business on April 10, 1996.

Gary Hyatt
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Licensing of Apprentices**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The operating expenditures for the Louisiana State Board of Private Investigator Examiners for fiscal year 1995-1996 are estimated to be approximately \$180,000.

It is estimated that costs of \$325 will be incurred in fiscal year 1995-1996 to print and distribute this amended rule and regulation. Minimal costs will also be incurred to print the form required by the rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no estimated effect on revenue collections caused by the adoption of this rule. The board is currently licensing apprentices. The rule simply specifies those licensing requirements.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Licensees and supervising agencies will incur costs for training and supervision of apprentices.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There will be no effect on competition and employment as all persons and companies wishing to be licensed will have to comply with these rules and regulations.

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